

May 13, 2005

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *In the Matter of IP-Enabled Services*, WC Docket No. 04-36

Dear Ms. Dortch:

On Thursday, May 12, 2005, Nick Kolovos of the Information Technology Industry Council (ITI), and representatives of three of its members companies, Paula Boyd of Microsoft, Jeff Campbell of Cisco Systems, Inc., and Cheryl Bruner of IBM, met with Michelle Carey, legal advisor to Chairman Kevin Martin, regarding the above-captioned docket.

ITI is an elite group of the nation's top high-tech companies and has consistently advocated for policies that reduce barriers that stifle innovation, increase access to global markets, promote e-commerce expansion, protect consumer choice, and enhance the global competitiveness of our companies. Consistent with these overall goals, and in continued support of the advancement of public interest objectives such as access to essential emergency services, ITI urged that the Commission define precisely the scope of VoIP services that would be subject to an E911 mandate.

In general, the Commission should attempt to cover only those services that are a replacement for traditional local exchange service on the PSTN. The Commission should therefore limit any E911 requirement to consumer real-time, two-way switched voice services offered for a fee and generally available *to the public* that are interconnected with the PSTN, capable of both receiving calls from and terminating calls to the PSTN, and for which the service provider assigns the end users using the VoIP service a unique working North American Numbering Plan telephone number (other than numbers, such as toll-free numbers, that are used to reach a database that determines the destination telephone number). Limiting the scope to services for which the service provider assigns a unique working telephone number should help to exclude innovative conference calling or other types of VoIP services or features that are not similar to traditional local exchange service on the PSTN.

ITI also urged the Commission to be cognizant of current technological limitations, such as systems which cannot enable E911 functionality when the VoIP software is removed from the enterprise IP network and used elsewhere through a virtual private network. As such, ITI asked that action by the Commission to require emergency service capability include appropriate exceptions to address these circumstances.

Should there be any further questions about this matter please contact the undersigned.

Sincerely,

/s/

Nick Kolovos

Director and Counsel, Government Relations
Information Technology Industry Council
1250 I Street
Washington, DC 20005
202.626.5744

The association of leading IT companies

Accenture • Agilent • AOL Time Warner • Apple • Canon USA • Cisco • Corning • Dell • Eastman Kodak • eBay
EMC Corporation • Hewlett Packard • IBM • Intel • Lexmark • Microsoft • Motorola • National Semiconductor • NCR • Oracle